
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

VICTOR BUCHI,

Plaintiff,

v.

STATE OF UTAH et al.,

Defendants.

**MEMORANDUM DECISION
& ORDER DENYING MOTIONS
FOR RELIEF FROM JUDGMENT**

Case No. 2:19-CV-325 CW

District Judge Clark Waddoups

On November 6, 2019, concluding Plaintiff had been unresponsive in his litigation--specifically, failing to pay his initial partial filing fee (IPFF)--the Court dismissed his case. (ECF No. 14.) On January 22 and 24, 2020, Plaintiff submitted motions to reopen and reinstate his case, (ECF Nos. 16 & 18), which the Court construes as motions for relief from judgment, Fed. R. Civ. P. 60(b). Plaintiff's motions neither address his failure to pay his IPFF, nor make any arguments to support relief from judgment.

Federal Rule of Civil Procedure 60(b) states in relevant part:

(b) Grounds for Relief from a Final Judgment, Order, or Proceeding. On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:

- (1) mistake, inadvertence, surprise, or excusable neglect;
- (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
- (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
- (4) the judgment is void;
- (5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or

vacated; or applying it prospectively is no longer equitable;
or
(6) any other reason that justifies relief.

Plaintiff has not hinted that any of these grounds for relief exist here. Plaintiff thus does not meet the standard for relief under Rule 60(b); the Court's November 6, 2019 Order and Judgment stand. (ECF Nos. 14 & 15.)

ORDER

IT IS ORDERED that Plaintiff's post-judgment motions are **DENIED**. (ECF Nos. 16 & 18.) This action remains closed.

IT IS FURTHER ORDERED that the Clerk of Court must mail to Plaintiff a packet, including a blank-form complaint and information on how to file the complaint.

DATED this 30th day of April, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Clark Waddoups", is written over a horizontal line.

JUDGE CLARK WADDOUPS
United States District Court